

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	\$7,300	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$7,300	-0-	-0-	-0-	-0-

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes X No _____
Budget Acct No.: Fund 3500 Dept. 361 Unit 1205 Object 6120
Program

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Transportation Improvement Fund
Haverhill at Stacy Street Traffic Signal

Estimated Value Parcel 100 \$7,300.00

C. Departmental Fiscal Review: _____ *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Haverhill 11-13-08
OFMB *[Signature]* SN 11/13/08 CN 11/14/08
Don J. Javelle 11/14/08
Contract Dev. and Control *[Signature]* 11/14/08

B. Approved as to Form and Legal Sufficiency:
[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

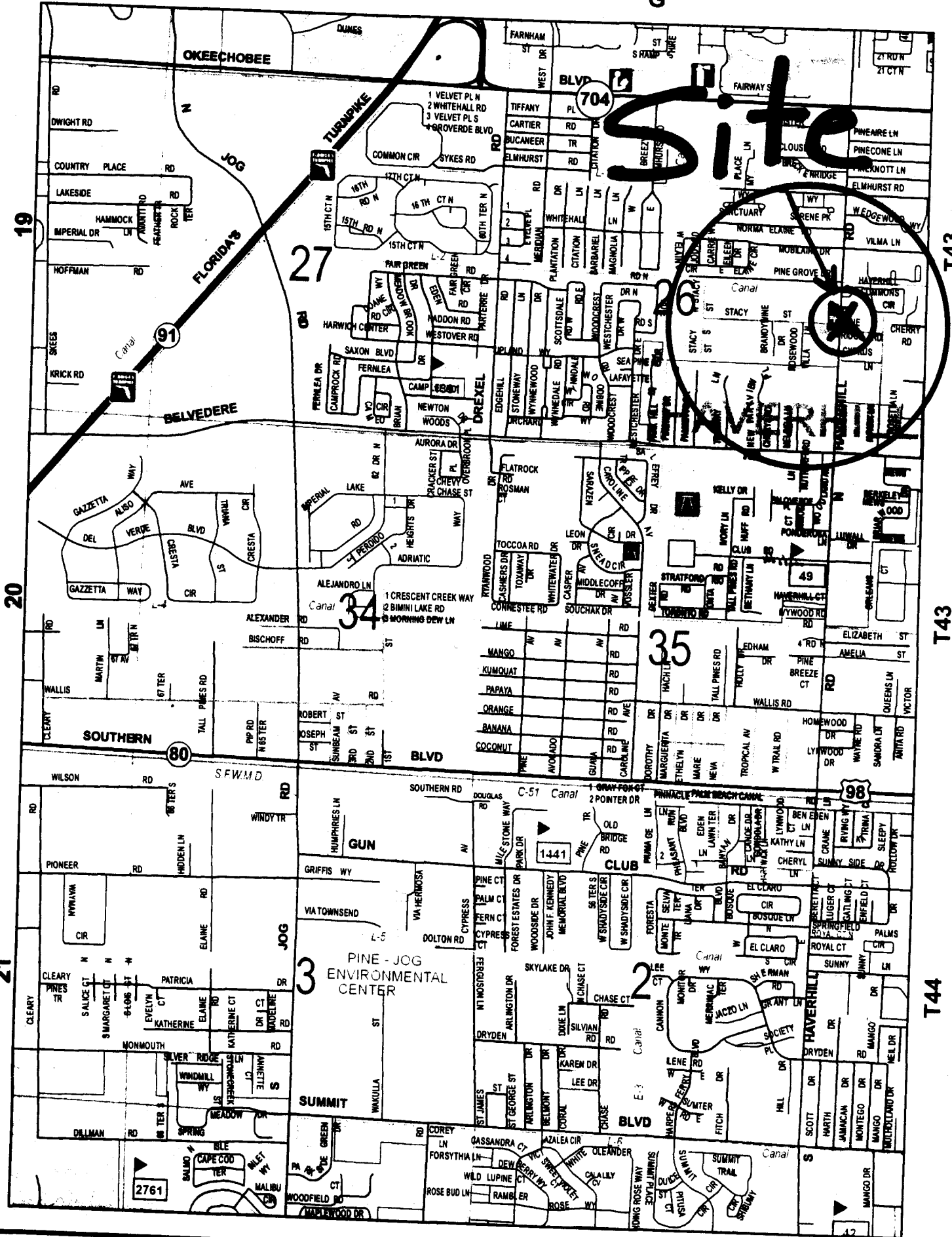
Location Map

69

R42
H

R42
G

See pg 57



T43

T43

T44

H

G

See pg 79

RESOLUTION NO. R-2008

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING THIS RESOLUTION DECLARING THE ACQUISITION OF PROPERTY KNOWN AS PARCEL 100 AS A PARTIAL TAKE IN FEE SIMPLE FOR RIGHT-OF-WAY, NECESSARY TO INSTALL A TRAFFIC SIGNAL ON HAVERHILL ROAD AT STACY STREET, TO BE A PUBLIC NECESSITY, AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS, AND THE FILING OF EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the County Engineer has recommended the acquisition of this parcel to the Board of County Commissioners of Palm Beach County, to install an traffic signal on Haverhill Road at Stacy Street, in Palm Beach County, Florida; and,

WHEREAS, the funds are available for the acquisition of this parcel; and,

WHEREAS, the Board of County Commissioners of Palm Beach County is exercising its authority of Eminent Domain pursuant to Florida Statutes 73, 74, 127, and 337.27, as amended; and,

WHEREAS, this Board has considered the required factors pursuant to Florida law including Safety, Costs, Alternative Routes or Methodologies, Long Range Plans, and the Environment, as applicable to this parcel and as set forth in Exhibit "A", attached hereto and incorporated herein, prior to determining that the acquisition of Parcel 100 is necessary; and,

WHEREAS, this Board has considered the required factors under Florida Law, as they apply to Parcel 100, which is more fully described in Exhibit "B"; and,

WHEREAS, after considering the factors as set forth above, this Board has determined that the acquisition of the real property identified as Parcel 100 for the necessary Partial Take in Fee Simple for Right-of-Way, which is more fully described in Exhibit "B", is necessary for the following public purpose, to wit: to install a traffic signal on Haverhill Road at Stacy Street, and as such, the acquisition of said property is a public necessity deemed to be in the best interest of Palm Beach County; and,

WHEREAS, a Partial Take in Fee Simple of the property identified as Parcel 100 is necessary for right-of-way, thereon with the construction to be undertaken by Palm Beach County to install a traffic signal on Haverhill Road at Stacy Street, thereon and adjacent thereto. The right-of-way Partial Take in Fee Simple of the parcel is granted upon the condition that the construction limits shall not extend beyond the limits outlined in the legal description of said property; and,

WHEREAS, the property to be acquired through the use of Eminent Domain as authorized by this resolution is not being acquired for the purpose of abating or eliminating public nuisances, slum or blight conditions, and is subject to any applicable conveyance restrictions pursuant to Florida laws, to the extent they may apply; and,

WHEREAS, the acquisition of this parcel is necessary to install a traffic signal on Haverhill Road at Stacy Street; and,

WHEREAS, in order to accomplish the acquisition of this parcel, the County Engineer and the County Attorney are authorized to take legal action, including the filing of Eminent Domain proceedings, and to employ real estate appraisers and other experts deemed necessary to accomplish this purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. The County Engineer and County Attorney are authorized and directed to employ real estate appraisers for the purpose of securing an appraisal of the value of the property described in Exhibit "B" for the purpose of acquiring said property through Eminent Domain.
3. The County Engineer and the County Attorney are hereby further authorized and directed to proceed to take all necessary steps, including the hiring of accountants, appraisers, or other experts and witnesses, for Palm Beach County to acquire, in its own name, by donation, purchase, or Eminent Domain proceedings, the real property described in Exhibit "B", and prepare all papers, pleadings, and other instruments required for that purpose, and to see that all Eminent Domain proceedings are prosecuted to judgment.
4. The County Engineer and County Attorney are hereby authorized and directed to take such further actions as are reasonably required to fully accomplish the purposes herein above directed, including the making of minor changes in the description of any real property described in Exhibit "B" that may be necessary to fully accomplish those purposes.

BE IT FURTHER RESOLVED that the property described in Exhibit "B" is to be used for the following public purpose: Partial Take in Fee Simple for Right-of-Way.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

District 1: Karen T. Marcus	_____
District 2: John F. Koons	_____
District 3:	_____
District 4: Mary McCarty	_____
District 5:	_____
District 6: Jess R. Santamaria	_____
District 7:	_____

The Chairperson thereupon declared the Resolution passed and adopted this _____ day of _____, 2008.

SHARON R. BOCK,
Clerk and Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

2 of 2

EXHIBIT "A"

SIGNAL AT HAVERHILL ROAD AND STACY STREET PALM BEACH COUNTY PROJECT #2009905

SAFETY

Haverhill Road is currently a five (5) lane non-median major urban collector street through residential areas. Palm Beach County School District is constructing a new elementary school (O6D) at the west end of Stacy Street. Stacy Street is classified as a minor local road with only one outlet at Haverhill Road. The intersection of Haverhill Road and Stacy Street does not currently have a traffic signal. The addition of the proposed traffic signal at Haverhill Road and Stacy Street will improve overall safety for both traffic and pedestrians which are expected to increase significantly as a result of the new school construction. The design of this project has been done in accordance with the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (The Florida Greenbook), as adopted and approved by the Florida Department of Transportation (FDOT).

COST

The cost of constructing the traffic signal at Haverhill Road and Stacy Street had been estimated prior to beginning design. The appropriate funding for design, right-of-way acquisition and construction has been budgeted in coordination with the new school construction. During the design of the traffic signal, reasonable efforts were made to minimize the area to be acquired for the traffic signal through condemnation.

After considering Safety, Alternate Routes and Methodologies, Planning and Environmental factors, the cost of the acquisition of this parcel for this project fit into the planned funding for this project, and the acquisition of this parcel was necessary, in furtherance of this public project.

ALTERNATE ROUTES

Haverhill Road is a heavily traveled thoroughfare road and is the only outlet for Stacy Street. Surrounding development and physical barriers, (i.e. canals) make alternate routes for the school and resident traffic infeasible.

LONG RANGE PLANNING

The construction of the traffic signal does not conflict with Palm Beach County's 2030 Long Range Transportation Plan. The 2030 Long Range Transportation System Plan is a 25-year forecast based on projected regional needs identified through the process of forecasting travel demand, evaluating system alternatives and selecting those options which best meet the mobility, safety, and other needs of the County, considering financial, environmental and social constraints. The plan serves as the preliminary tool used for transportation planning in Palm Beach County.

ENVIRONMENTAL IMPACTS

Haverhill Road exists along an established roadway corridor. The proposed improvements occur mainly within existing rights-of-way, thus minimizing any negative impacts to the surrounding environment. This roadway improvement project has been permitted through the appropriate environmental regulatory agencies.

Below is a more detailed outline of the reasons for the acquisition needed for the installation of the traffic signal at Haverhill Road and Stacy Street.

FEE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY FOR SIGNAL CONSTRUCTION – PARCEL NO. 100

In coordination with and support of the proposed school construction, Haverhill Road is to be equipped with a traffic signal at the Stacy Street intersection. Two traffic signal structures are required along the east right-of-way of Haverhill Road. Existing pavement, curbing and sidewalk within the 90 ft. Haverhill Road right-of-way are constructed adjacent to the east right-of-way line. Remaining available right-of-way along the west right-of-way is needed for construction of a right-hand turn lane to facilitate ingress to Stacy Street from Haverhill. After construction of the right-hand turn lane there will be no additional right-of-way available. Forcing placement of the traffic signal structures within the east right-of-way would require major realignment of the entire Haverhill Road cross section, at substantially greater cost to construct than the acquisition of the 8 foot by 100 foot additional right-of-way shown as Parcel No. 100.

PARCEL 100

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH THE EMBOSSED SEAL OF THE SURVEYOR WHOSE NAME APPEARS HEREON.
2. BEARINGS SHOWN ARE BASED ON THE PALM BEACH COUNTY GEODETIC CONTROL DENSIFICATION PROJECT WITH THE WEST LINE OF SECTION 25 HAVING A BEARING OF N01°22'02"E, NAD 1983 (1990 ADJUSTMENT)
3. THE LAND DESCRIPTION SHOWN WAS PREPARED BY THE SURVEYOR.
4. THIS IS NOT A SURVEY.
5. ABBREVIATIONS: P.O.C. = POINT OF COMMENCEMENT; P.O.B. = POINT OF BEGINNING; LT. = LEFT; R/W = RIGHT-OF-WAY; P.B. = PLAT BOOK; STA. = STATION; O.R.B. = OFFICIAL RECORDS BOOK; SEC. = SECTION; TWP. = TOWNSHIP; RGE. = RANGE; D.B.= DEED BOOK; RT. = RIGHT

DESCRIPTION:

A PORTION OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 25; THENCE N01°22'02"E, ALONG THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 1917 FEET; THENCE S88°19'45"E, ALONG THE WESTERLY EXTENSION OF THE SOUTH BOUNDARY LINE OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 15863, PAGE 937 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 30.00 FEET; THENCE N01°22'02"E, ALONG THE WEST BOUNDARY OF SAID PROPERTY, 47.97 FEET; THENCE S88°29'47"E, 10.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HAVERHILL ROAD PER OFFICIAL RECORDS BOOK 1564, PAGE 184 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE N01°22'02"E, ALONG SAID RIGHT-OF-WAY LINE, 100.00 FEET; THENCE S88°29'47"E, 8.00 FEET; THENCE S01°22'02"W, 100.00 FEET; THENCE N88°29'47"W, 8.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA, CONTAINING 800 SQUARE FEET (0.02 ACRES), MORE OR LESS.

CERTIFICATION:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS DELINEATED UNDER MY DIRECTION ON AUGUST 19, 2008.

Kathleen L. Hall

KATHLEEN L. HALL, P.L.S.
FLORIDA REGISTRATION NO. 4103

KATHLEEN L. HALL LAND SURVEYING, INC.

5499 N. FEDERAL HIGHWAY, SUITE N
BOCA RATON, FL. 33487
TEL.(561) 443-0426 FAX.(561) 443-0429
FLORIDA L.B. #6555

REV.:9/17/08
REV.:8/28/08
DATE:8/19/08
SHEET 1 OF 2
JOB NO.: 3826

PARCEL 100

STACY ROAD

120+00

121+00

BASELINE

121+39.05
STACY
82+35.73
HAVERHILL

HAVERHILL ROAD
(D.B. 794/47)

W.LINE SEC. 25

81+00

82+00

83+00

+90.99
40'RT

R/W PER
O.R.B. 1564/184
EXISTING EAST
R/W LINE

100.00'

S88°29'47"E
8.00'

+90.97
48'RT.

O.R.B. 15863/937

N88°29'47"W
8.00'

+90.97
48'RT.

P.O.B.
+90.99
40'RT.

W.BDY. PER
O.R.B. 15863/937

S.BDY PER
O.R.B. 15863/937

S88°19'45"E
30.00'

N01°22'02"E
47.97'

N01°22'02"E
100.00'

S01°22'02"W
100.00'

+23.20

123+00

PINE RIDGE LANE

1917'

N01°22'02"E

P.O.C.
SW/CORNER
SEC. 25, TWP.
43S., RGE. 42E.



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SCALE: 1"=40'

SHEET 2 OF 2
JOB NO.: 3826

Exhibit "B" 2012